

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KYLE DAVID MILTON,

Plaintiff,

v.

B.M. TRATE, et al.,

Defendants.

Case No. 1:22-cv-00988-ADA-EPG (PC)

ORDER GRANTING PLAINTIFF'S
MOTION FOR EXTENSION OF TIME TO
RESPOND TO DEFENDANTS TRATE'S
AND GRASLEY'S MOTION TO DISMISS
AND MOTION FOR SUMMARY
JUDGMENT

(ECF No. 28)

Kyle David Milton ("Plaintiff") is incarcerated at Atwater U.S. Penitentiary and is proceeding *pro se* and *in forma pauperis* in this civil rights action.

On April 25, 2023, defendants Trate and Grasley ("Defendants") filed a motion to dismiss and for summary judgment. (ECF No. 25). On May 12, 2023, Plaintiff filed a motion for a sixty-day extension of time to respond. (ECF No. 28). Plaintiff states that he did not receive Defendants' motion to dismiss and for summary judgment until May 8. Additionally, Plaintiff needs additional time to respond due to continual lockdowns and staffing shortages.

The Court finds good cause to grant Plaintiff's motion.

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1 Accordingly, IT IS HEREBY ORDERED that Plaintiff has until July 18, 2023, to respond
2 to Defendants' motion to dismiss and for summary judgment.

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4 IT IS SO ORDERED.

5 Dated: May 16, 2023

/s/ Eric P. Grogan
6 UNITED STATES MAGISTRATE JUDGE